IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

Bail Appl..No. 3980 of 2007(A)

CRIME NO.139/07 OF KOVALAM POLICE STATION

PETITIONER/1ST ACCUSED.

AMBILIL KUMAR R.S., W/O.VIJAYAN,
VILATHARA MELE VEEDU,MUTTAIKKADU P.O.,
VANJANOOR VILLAGE,THIRUVANANTHAPURAM.

BY ADV. SRI.G.SUDHEER

RESPONDENTS: COMPLAINANT.

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 3980 of 2007

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Dated this the 2nd day of July, 2007

O R D E R

Application for anticipatory bail. The petitioner, a woman, is the first accused. The crux of the allegations against the petitioner is that she had received amounts promising to secure the defacto complainant employment as a Cleaner in a hospital in Saudi Arabia. Amount was received. VISA was arranged. The defacto complainant went to his place of employment. But instead of getting the job of a Cleaner, only a job of Mason was made available. He returned and demanded return of money. The petitioner allegedly did not return the amount. The petitioner has acted in collusion with another accused, it is alleged. Investigation is in progress. The petitioner apprehends imminent arrest.

2. I have considered the submissions made. The learned counsel for the petitioner prays, the learned Prosecutor does not seriously oppose the said prayer and I am satisfied that the petitioner can be granted anticipatory bail, subject to appropriate conditions.

In the absence of serious objection, it is not necessary to advert to facts in any greater detail.

3. In the result:

(1) This application is allowed.

(2) The following directions are issued under Section 438 Cr.P.C.

(a) The petitioner shall surrender before the learned Magistrate on 10.7.2007 at 11 a.m. The learned Magistrate shall release the petitioner on regular bail on condition that she executes a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(b) The petitioner shall make herself available for interrogation before the Investigating Officer between 10 a.m. and 1 p.m. on 11.7.07 and 12.7.07 and thereafter on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and subsequently as and when directed by the Investigating Officer in writing to do so.

(c) If the petitioner does not appear before the learned Magistrate as directed in clause (1) above, these directions shall lapse on 10.7.07 and the police shall be at liberty thereafter to arrest the petitioner and deal with her in accordance with law.

(d) If the petitioner were arrested prior to her surrender on 10.7.2007 as directed in clause (1) above, she shall be released on bail on her executing a bond for Rs.25,000/- without any surety undertaking to appear before the learned Magistrate on 10.7.2007.

(R. BASANT)
Judge

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